

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re Flint Water Cases.

Judith E. Levy
United States District Judge

_____/

This Document Relates To:

Bellwether II Cases

_____/

**JOINT STIPULATION REGARDING SCHEDULING ORDER FOR
BELLWETHER II TRIAL**

Defendants, Veolia Water North America Operating Services, LLC, Veolia North America, Inc., and Veolia North America, LLC (the “VNA Defendants”), Leo A. Daly Company; Lockwood Andrews & Newnam, P.C.; and Lockwood Andrews & Newnam, Inc. (the “LAN Defendants”) and Bellwether II Plaintiffs hereby stipulate and agree to pre-trial deadlines in the Scheduling Order for the Bellwether II Trial as follows:

Event	Deadline
Plaintiffs shall serve all outstanding Plaintiff Fact Sheets and revised Authorizations	January 7, 2023
Defendants serve deficiencies in the Plaintiff Fact Sheets	January 20, 2023
Deficiencies in the Plaintiff Fact Sheets shall be cured	February 3, 2023

Event	Deadline
Plaintiffs' and Defendants' counsel shall simultaneously identify twenty (20) plaintiffs each for a total of forty (40) plaintiffs comprising Pool Two. Defendants may serve written discovery on the Pool Two Claimants immediately upon the selection of the forty (40) Pool Two group of bellwether plaintiffs. ^[1]	February 24, 2023
Deadline for Pool Two Claimants to fully respond to all written discovery, including providing any additional requested waivers for medical or other information	April 7, 2023
Counsel for Plaintiffs and counsel for Defendants shall each identify seven (7) claimants from among the Pool Two Claimants who will be engaged in further discovery ("Pool Three Claimants"). If there is overlap between the Pool Three Claimants initially identified by the two sides, selection of additional Pool Three Claimants shall proceed in the manner described in the CMO until a total of fourteen (14) have been selected.	April 27, 2023
Defendants may begin noticing home inspections and testimonial depositions of the Pool Three Claimants and witnesses in accordance with CMO 5 (except that depositions may be noticed 15 days in advance of taking them)	April 28, 2023
Merits discovery complete for Pool Three Claimants	July 27, 2023
Plaintiffs to provide expert disclosures and reports. The Plaintiffs shall include in the disclosure three dates on which each expert is available for deposition within sixty (60) days of the disclosure. All plaintiffs alleging personal injuries must be available for Rule 35 examinations starting ten (10) days after plaintiffs' expert disclosures and reports are served.	July 28, 2023
Defendants to provide expert disclosures and reports. The Defendants will include in the disclosure three dates on which each expert is available for deposition within sixty (60) days of the disclosure.	October 27, 2023
Plaintiffs to provide expert rebuttal reports	December 8, 2023

^[1] All rights and limitations concerning individual discovery as set forth in CMO 5 (ECF No. 1255) pertaining to Bellwether I shall also apply to Bellwether II. *See* ECF No. 1255 at 62-64.

Event	Deadline
Defendants to provide expert rebuttal reports	January 19, 2024
Reply expert report depositions	January 22 to 29, 2024
The parties to each identify two (2) plaintiffs, for a total of four (4), to continue to Pool Four.	February 16, 2024
Motions for Summary Judgment and Daubert Motions filed	March 29, 2024
Responses to the Motions for Summary Judgment and Daubert Motions due	May 10, 2023
Replies to the Oppositions to Motions for Summary Judgment and Daubert Motions due	June 7, 2024
<i>Hearing on Daubert Motions and Summary Judgment</i>	
Motions in Limine due	14 days after summary judgment order
Oppositions to the Motions in Limine due	Three weeks after the opening briefs
Replies in support of the Motions in Limine due	Two weeks after the response briefs
Designations of deposition testimony to be played/read to the jury due	7 days after the order on the motions in limine
Counter-designations and objections to the designated testimony due	7 days after the designations
Objections to the counter-designated deposition testimony due	7 days after the objections
Deadline for submitting deposition designations matrices and highlighted transcripts to the Court	Minimum of two weeks before witness will be called at trial
Plaintiffs to serve Defendants with draft Pre-Trial Order (witness lists, exhibit lists, trial briefs, jury instructions and other similar pretrial filings required by the court due)	TBD
Defendants to serve Plaintiffs with objections and responses to the witness lists, exhibit lists, trial briefs, jury instructions and other similar pretrial filings required by the court due and engage in meet and confer	TBD
Parties to submit Final Joint Pretrial Order	TBD
Parties to submit Voir Dire questions, proposed preliminary Jury Instructions	TBD

Event	Deadline
<i>Hearing date for Motions in Limine and deposition designations; final Pre-Trial hearing regarding witness lists, exhibit lists, trial briefs, jury instructions, and other pretrial filings</i>	TBD
Trial Date	September 10, 2024

Dated: December 22, 2022

Respectfully submitted,

CAMPBELL CONROY &
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